

REMARKS

I. Introduction

This is in response to the Office Action dated July 25, 2007. Claims 14 to 26 are presented for examination, of which claims 14 and 21 are independent. Claims 1 to 13 and 27 to 37 have been withdrawn and cancelled. Claims 38 and 39 are newly added. Reconsideration and further examination are respectfully requested.

II. Nonstatutory Double Patenting Rejection

Claims 14 to 26 have been provisionally rejected for nonstatutory obviousness-type double-patenting as being unpatentable over claims 16 to 20 of copending application No. 10,773,105 (the '105 application) in view of Applicant's own allegedly admitted prior art. Applicant respectfully disagrees with this rejection for the same reasons set forth in Applicant's response filed May 16, 2007.

III. Rejections Under 35 USC §103(a)

Claims 14, 17, 19, 21, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,358,467 (*Mordue*). Claims 14, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,154,652 (*Ecklesdafer*). Claims 14-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,258,283 (*Winberg et al.*). Claims 14, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over either U.S. Patent 2,423,655 (*Mars et al.*) or 1,377,101 (*Sparkling*). Claims 14, 17, 19, 21, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,451,247 (*Mordue et al.*) Claims 14, 17, 19, 21, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,303,074 (*Cooper*). Claims 15, 16, 18, 20, 23, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over either U.S. Patent 6,451,247 (*Mordue et al.*) or 6,303,074 (*Cooper*). Applicant has reviewed the Office Action and respectfully submits that it fails to establish a *prima facie* case of obviousness for the same reasons set forth in Applicant's response filed May 16, 2007. Applicant further submits that newly-added claims 38 and 39 are likewise not anticipated nor obvious over any of the cited references.

CONCLUSION

Reconsideration is respectfully requested. Applicant believes the case is in condition for allowance and respectfully requests withdrawal of the rejections and allowance of the pending claims.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

Date: October 25, 2007

/Alex Starkovich/
Alex Starkovich
Reg. No. 56,925

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, Arizona 85004-4498
(602) 528-4124

PHOENIX/411648.1